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APPLICATION NO.	· FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/757,941	01/16/2004	Verna M. Pinnix	P8174-002	5056	
7590 08/25/2004			EXAMINER		
Lewis S. Rowell			DEVORE, PETER T		
Womle Carlyle Sandridge & Rice, PLLC P.O. Box 7037			ART UNIT	PAPER NUMBER	
Atlanta, GA 30357-0037			3751		

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application	on No.	Applicant(s)				
	10/757,94	1	PINNIX ET AL.				
Office Action Summary	Examiner		Art Unit	10			
	Peter T de		3751				
The MAILING DATE of this commun Period for Reply	nication appears on the	cover sheet with the	correspondence add	iress			
A SHORTENED STATUTORY PERIOD F THE MAILING DATE OF THIS COMMUN - Extensions of time may be available under the provision after SIX (6) MONTHS from the mailing date of this com - If the period for reply specified above is less than thirty (- If NO period for reply is specified above, the maximum s - Failure to reply within the set or extended period for repl Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b).	IICATION. s of 37 CFR 1.136(a). In no ever munication. 30) days, a reply within the statutatutory period will apply and will will. by statute. cause the apply	ent, however, may a reply be ti utory minimum of thirty (30) da Il expire SIX (6) MONTHS fron ication to become ABANDONE	mely filed ys will be considered timely. n the mailing date of this cou ED (35 U.S.C. § 133).	mmunication.			
Status							
1) Responsive to communication(s) fil	ed on						
2a)☐ This action is FINAL.	·						
3) Since this application is in condition							
Disposition of Claims							
4) ☐ Claim(s) 1-7 is/are pending in the a 4a) Of the above claim(s) is/ 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-7 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restr	are withdrawn from co			·			
Application Papers							
 9) The specification is objected to by t 10) The drawing(s) filed on is/are Applicant may not request that any objected Replacement drawing sheet(s) includir 11) The oath or declaration is objected 	e: a) ☐ accepted or b) ection to the drawing(s) t ng the correction is requir	oe held in abeyance. So ed if the drawing(s) is o	ee 37 CFR 1.85(a). bjected to. See 37 CF				
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim a) All b) Some * c) None of: 1. Certified copies of the priorit 2. Certified copies of the priorit 3. Copies of the certified copie application from the Internat * See the attached detailed Office act	y documents have been y documents have been sof the priority documents land Bureau (PCT Rui	en received. en received in Applica ents have been receiv le 17.2(a)).	ition No ved in this National	Stage			
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review 3) Information Disclosure Statement(s) (PTO-1449 Paper No(s)/Mail Date 5/3/2004.		4) Interview Summal Paper No(s)/Mail 5) Notice of Informal 6) Other:	Date	D-152)			

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Thomas.

The Thomas reference discloses a dispensing applicator comprising a handle 1, an internal reservoir 36, a head 21, an applicator 2, a liquid delivery mechanism/piston pump (34 and 34'), and a locking mechanism (hinges 13 and 14 which prevent pivotal movement beyond the angle shown in Figure 2).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter T deVore whose telephone number is (703) 306-5481. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on (703) 308-2580. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 10/757,941

Art Unit: 3751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pd PU

GREGORY L. HUSON SUPERVISORY PATENT EXAMINER

Page 3

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